



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
HEARING OFFICER
(October 11, 2011 Meeting)**

STAFF REPORT

Docket No. / Project Title: C/DS-11-18 (Puccini's Restaurant)
Staff: Derek Naber
Hearing Officer: Thom Weintraut Jr.

Applicant: Columbus Redevelopment Commission
Property Size: 41,817 square feet
Current Zoning: CD (Commercial: Downtown Center)
Location: 316 & 318 Washington Street, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed variance from Zoning Ordinance Section 10 (Table 10.1) is for the purpose of allowing a 22 square foot suspended sign, 16 square feet more than permitted for a property in the CD (Downtown Commercial) zoning district, in lieu of a wall sign.

Preliminary Hearing Officer Decision:

Approval, all the criteria have been met.

The approval shall be subject to the following condition: The suspended sign shall be considered a wall sign for the purpose of calculating allowed signs at this location.

Zoning Ordinance Considerations:

District Intent: The intent of the CD (Commercial: Downtown Center) zoning district is as follows: To serve as the primary commercial and activity center, where a complete range of goods, services, and entertainment is located. This district is intended to serve as a focal point, and to be the most intensely developed area in the community. This district is further intended to support the continued use of historic structures, to ensure a pedestrian-focused character, and to enable continued investment.

Development Standards: Zoning Ordinance Section 10 (Table 10.1) limits the maximum number of suspended signs to one whose square footage cannot exceed 6 square feet.

Current Property Information:	
Land Use:	Restaurant
Site Features:	The site features The Commons building and sidewalks.

Flood Hazards:	No flood hazards exist at this location.
Vehicle Access:	The property does not have any vehicle access points onto any public right-of-way.

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	CD (Commercial: Downtown Center)	Retail / Office
South:	CD (Commercial: Downtown Center)	Government Office (County Courthouse)
East:	CD (Commercial: Downtown Center)	Retail / Office
West:	CD (Commercial: Downtown Center)	Office

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The Columbus Redevelopment Commission is requesting signage for Puccini's Restaurant. The suspended sign is proposed to be 3.5 feet by 6.25 feet (21.88 square feet), which exceeds the Zoning Ordinance by approximately 16 square feet. The sign will be suspended from an overhang on the structure and the sign at its lowest point will be 8.5 feet high. The sign will be located within the property and not within the public right-of-way.
2. Zoning Ordinance Section 10 (Table 10.1) allows one suspended sign per use for a property in the downtown zoning district. The maximum area for the suspended sign is not allowed to exceed 6 square feet. Additionally, according to Zoning Ordinance Section 10 (H)(15), no suspended sign shall be less than 8 feet above grade level.
3. The Zoning Ordinance would additionally permit Puccini's Restaurant which has two street frontages, two wall signs whose square footage could not exceed a total of 105 square feet. No wall signs are currently being requested.
4. The Commons is designed with an overhang on the frontage along Washington Street.

Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals Hearing Officer may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Hearing Officer may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

Provisional Findings: The suspended sign will be built in a secure manner and is not located within any restricted location or public right-of-way. *This criterion has been met.*

2. **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Provisional Findings: The suspended sign square footage is significantly lower than the permitted wall sign square footage for the tenant space. The sign request would fit within the context of the downtown area. *This criterion has been met.*

3. **The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

Provisional Findings: The Commons is designed with available space for a suspended sign with the overhang along the Washington Street frontage. The design of this building and the context of the downtown are preventing the approval of this sign which serves as a viable substitute for a wall sign. *This criterion has been met.*

Hearing Officer Options:

In reviewing a request for development standards variance the Hearing Officer may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Hearing Officer, (4) deny the petition (with or without prejudice), or (5) forward the petition to the full Board of Zoning Appeals.